



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
US ARMY INSTALLATION MANAGEMENT COMMAND  
HEADQUARTERS, UNITED STATES ARMY GARRISON JAPAN  
UNIT 45006  
APO AREA PACIFIC 96343-5006

COMMAND POLICY  
27

IMJN-ZA

24 APR 2014

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Limitation of Uniform Code of Military Justice (UCMJ) Authority

1. REFERENCES:

a. Army Regulation (AR) 27-10, Military Justice, 3 October 2011, Chapter 3, paragraph 3-4(c), and 3-7(d).

b. Manual for Courts-Martial, Rule for Courts-Martial 306(a).

2. WITHHOLDING POLICY. Pursuant to the Manual for Courts-Martial (2012 Edition), rule for Courts-Martial 306(a), AR 27-10, paragraphs 3-4 and 3-7d, and United States Army Pacific (USARPAC) Regulation 27-10, 12 December 2011, I withhold authority to dispose of offenses and impose nonjudicial punishment or issue administrative reprimands for the following suspected acts of misconduct:

a. All alleged offenses committed by personnel in the pay grade of E-7.

b. All alleged offenses involving drugs committed by personnel in pay grades E-5 through E-7.

c. All alleged offenses involving domestic violence or spouse/child abuse by personnel in pay grades of E-1 to E-7.

d. Sexual Assault Allegations:

(1) I withhold disposition for all alleged violations of Articles 120, 120a, 120b, 120c, and 125 of the UCMJ in which probable cause has been determined to exist. Additionally, this withholding applies to all attempts to commit such offenses in violation of Article 80, UCMJ, and also applies to any alleged collateral misconduct arising from or relating to the same incident/investigation, whether committed by the alleged subject or victim identified in the investigation. Nothing in this withholding prevents a subordinate commander from exercising their independent discretion and preferring charges if appropriate.

(2) I will be responsible for determining the appropriate disposition, to include whether further action is warranted and, if so, whether the matter should be resolved by court-martial, nonjudicial punishment, or adverse administrative action.

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(3) Commanders who receive information that any of their Soldiers may have committed an offense in violation of Articles 120, 120a, 120b, 120c, and 125 of the UCMJ will immediately report the information to the Criminal Investigation Division (CID) and alert the Office of the Staff Judge Advocate (OSJA). This reporting is in addition to and does not take the place of any other required sexual assault reporting. This withholding policy applies to all Soldiers stationed in, assigned to, or otherwise present for duty in Japan on the islands of Hokaido, Honshu, Shikoku, Kyushu, and Okinawa.

3. Commanders who receive information that one of their subordinate Soldiers may have committed misconduct which would be withheld to me under paragraph 2 of this command policy memorandum should coordinating with the OSJA, United States Army Japan (USARJ) to determine the appropriate investigating agency. If there is any credible evidence of misconduct, inform me immediately. Commanders will then coordinate through command channels to expeditiously forward all available evidence and their recommended disposition of the case to the OSJA, USARJ. Commanders may request that I return the case to them for appropriate action. I will consider each request and make my decision whether or not to return the action on a case-by-case basis.

4. The proponent for this action is the OSJA, USARJ and I Corps (Forward).

5. This command policy memorandum supersedes USAG-J Command Policy 27, 1 August 2011.

6. This command policy will remain in effect until superseded or rescinded. Commanders should also note that the Commanding General, USARJ and I Corps (Forward), retains UCMJ authority over all offenses committed by all commissioned officers, warrant officers, master sergeants, first sergeants, and sergeants major (including command sergeants major).

  
JOY L. CURRIERA  
COL, AG  
Commanding

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